UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,661	12/01/2000	Zeev Barzilai	6727/1H145US1	5571

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EXAMINER
TRAN, ELLEN C

ART UNIT	PAPER NUMBER
2134	

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 December 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-54</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-54</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communication: 28 December 2004, the original application

was filed on 1 December 2000 with a continuing application priority date of 09 May 2000.

2.   Claims 1-54 are currently pending in this application. Claims 1, 16, 19, 26, 40, 43, 50,

53, and54 are independent claims.

Response to Arguments

3.   Applicant's arguments with respect to claims 1-54 have been considered but are not

persuasive.

In response to applicant's argument beginning on page 2, "It contains no teaching or

suggestion of assigning non-uniform privacy policies to resources of a given enterprise as

required by claim 1, nor is such teaching or suggestion to bound anywhere else in Hunt". The

Office disagrees the assigning on non-uniform privacy policies is inherent in col. 2, lines 61-64

"Preferably, the method includes the step of accepting user inputs which define a privacy policy

in relation to the user's personal data which describes the extent to which the personal data is to

be released for the purpose of submitting a registration application" and it is later explained in

col. 4, lines 5-8 "private policy, can review what data has been given out and to whom".

In response to applicant's argument on page 3, "There is no mention in this passage, or

anywhere else in Hunt, of any sort of hierarchical node structure or specifically, of determination

of privacy policies at different nodes based on a hierarchy of private rules". The Office

disagrees see col. 7, lines 52-65 "The information may be grouped into different categories, for

example: 1. basic information (name, email address); 2. professional contact information (work

address and phone number, etc); 3. personal contact information (home address, etc) ... For each

information group, the user chooses an information policy". This has the same meaning as

"hierarchical of private rules", i.e. 'group/categories and user chooses information policy'.

In response to applicant's argument on page 4, "It makes no mention of "intercepting a

request from an application" and then "querying the application to determine its compliance with

the [enterprise] privacy policies". The Office disagrees intercepting requests is shown in col. 2,

line 66 through col. 3, line 9 "Preferably, the method includes the step of providing a unique

proxy address for the user in registration application so that communications addressed to the

user using the unique address are received by the at least one registration agreement computer or

registration agent server and are subsequently forwarded to the user". In addition querying

applications ... is shown in col. 5, lines 37-50 "analyzing the site's data requirements and forms

handling system (in other words, what data do they want from the user and how does their

registration system work?) ... identifying an resolving conflicts between the user's privacy

preferences and the site's policies".

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language

5.   **Claims 1-12, 14-36, 38-54** are rejected under 35 U.S.C. 102(e) as being

anticipated by Hunt et al. U.S. Patent No. 6,496,855 (hereinafter '855).

As to independent claim 1, "A method for privacy management, comprising: providing a linked collection of interactive resources through which a user is able to exchange information with an enterprise that provides the resources; assigning respective, non-uniform privacy policies to at least some of the resources regarding use of the information that is exchanged through the resources; providing to the user accessing a given one of the resources the respective privacy policy for that resource; and exchanging with the user at least a portion of the information that is associated with the given one of the resources, subject to the provided privacy policy" is taught in '855 col. 2, lines 31-65.

As to dependent claim 2, "wherein exchanging the information with the user comprises receiving private information submitted to the enterprise by the user" is shown in '855 col. 2, lines 5-16.

As to dependent claim 3 "wherein receiving the private information comprises receiving the user's agreement to the privacy policy, and recording the private information together with an indication of the privacy policy agreed upon" is disclosed in '855 col. 2, lines 19-33.

As to dependent claim 4, "and comprising: intercepting a request from an application to use the private information received from the users; querying the application to determine its compliance with the privacy policy subject to which the requested information was received; and providing the requested information subject to the compliance of the application with the privacy policy" is taught in '855 col. 5, lines 37-67.

As to dependent claim 5, "wherein assigning the non-uniform privacy policies comprises assigning a first privacy policy to a first one of the resources and a second, different privacy policy to a second one of the resources" is shown in '855 col. 7, lines 52-65.

As to dependent claim 6, "wherein providing the linked collection of interactive resources comprises arranging the resources in a hierarchy of nodes that comprises a root node, such that each of the nodes except for the root node has a parent node in the hierarchy, and wherein assigning the non-uniform privacy policies comprises assigning to each of at least some of the nodes, including the nodes associated with the first and second resources, one or more respective privacy rules regarding use of the information that is associated with the node, and setting for each of the nodes a node privacy policy that comprises the privacy rules assigned to the node combined, for each of the nodes except the root node, with the node privacy policy of its parent node" is disclosed in '855 col. 7, lines 52-65.

As to dependent claim 7, "wherein providing the privacy policy to the user comprises informing the user who has exchanged the information associated with the first resource subject to the first privacy policy of a difference in the second privacy policy relative to the first privacy policy before exchanging the information associated with the second resource" is taught in '855 col. 5, lines 44-45.

As to dependent claim 8, "wherein assigning the non-uniform privacy policies comprises assigning an initial privacy policy to one of the resources, and subsequently making a change in the initial privacy policy so as to assign a modified privacy policy to the resource, and wherein providing the privacy policy to the user comprises informing a user who has exchanged information with the resource subject to the initial privacy policy of the change" is shown in col. 3, lines 52-67.

As to dependent claim 9, "wherein informing the user comprises prompting the user to provide an input to indicate whether the user accepts or rejects the change" is disclosed in '855 col. 5, lines 44-45.

As to dependent claim 10, "wherein assigning the privacy policies comprises storing the privacy policies in a computer server belonging to the enterprise, and wherein providing the privacy policy to the user comprises intercepting a request by the user to access the given resource and providing the privacy policy for the resource responsive to the request" is shown in '855 col. 2, lines 6-33.

As to dependent claim 11, "wherein the collection of resources comprises a collection of Web pages accessible through a Web site of the enterprise" is disclosed in '855 col. 2, lines 36-46.

As to dependent claim 12, "wherein providing the privacy policy comprises conveying the policy in a standard form for presentation by a Web browser" is taught in '855 col. 5, line 55 through col. 6, line 5.

As to dependent claim 14, "wherein assigning the non-uniform privacy policies comprises determining a rating for each of the policies based on a predetermined rating scale" is shown in '855 col. 6, lines 44-64.

As to dependent claim 15, "wherein assigning the non-uniform privacy policies comprises defining first and second user classes and defining, for a given one of the resources, different first and second privacy policies, respectively, for the first and second user classes, and wherein providing the privacy policy to the user comprises determining whether the user belongs to the first or second class, and providing the first or the second privacy policy accordingly" is disclosed in '855 col. 7, lines 52-65.

As to independent claim 16, "A method for privacy management, comprising: arranging a body of information in a hierarchy of nodes that comprises a root node, such that each of the nodes except for the root node has a parent node in the hierarchy; assigning to each of at least some of the nodes one or more respective privacy rules regarding use of the information that is associated with the node; setting for each of the nodes a node privacy policy that comprises the privacy rules assigned to the node combined, for each of the nodes except the root node, with the node privacy policy of its parent node" is taught in '855 col. 7, lines 52-65;

"providing to a user who accesses a given one of the nodes the node privacy policy for that node; and exchanging with the user at least a portion of

the information that is associated with the given one of the nodes, subject to the provided privacy policy" is shown in '855 col. 6, lines 44-64.

As to dependent claims 17, 18 these claims are substantially similar to claims 2, 11 therefore they are rejected along the same rationale.

As to independent claim 19, "A method for privacy management, comprising: providing a linked collection of interactive resources through which a user is able to exchange information with an enterprise that provides the resources, at least some of the resources having privacy policies associated therewith regarding use of the information that is exchanged through the resources; receiving information from users who access the resources subject to the privacy policies" is disclosed in '855 col. 2, lines 31-65;

"intercepting a request from an application to use the information received from the users; querying the application to determine its compliance with the privacy policies subject to which the requested information was received; and providing the requested information subject to the compliance of the application with the privacy policies" is taught in '855 col. 5, lines 37-50.

As to dependent claims 20-24 these claims are substantially similar to claims 11, 5, 6, and 7 therefore they are rejected along the same rationale.

As to dependent claim 22, "wherein providing the requested information comprises checking the compliance of the application with the privacy rules respectively applicable to each of the items of the information requested by the application" is shown in '855 col. 7, lines 52-65.

As to dependent claim 25, "and comprising making a record of the request and of the information provided responsive thereto in a log for review in a subsequent privacy audit" is disclosed in '855 col. 3, lines 58-67.

As to independent claim 26, this claim is directed to the apparatus of the method of claim 1 and is rejected along the same rationale.

As to dependent claims 27-36, 38, and 39 these claims are substantially similar to claims 2-12 and 14; therefore they are rejected along the same rationale.

As to independent claim 40, this claim is directed to the apparatus of the method of claim 16 and is rejected along the same rationale.

As to dependent claims 41 and 42 these claims are substantially similar to claims 2 and 11; therefore they are rejected along the same rationale.

As to independent claim 43, this claim is directed to the apparatus of the method of claim 19 and is rejected along the same rationale.

As to dependent claims 44 and 45 these claims are substantially similar to claims 11 and 5; therefore they are rejected along the same rationale.

As to dependent claim 46, "wherein the server is arranged to check the compliance of the application with the privacy rules respectively applicable to each of the items of the information requested by the application" is taught in '855 col. 5, lines 37-65.

As to dependent claim 47, "wherein when the server is arranged, upon determining that the application does not comply with the rules respectively

applicable to a given one of the items, to refuse to provide the requested

information with respect to the given item, while providing information regarding

another of the items with respect to which the application does comply with the

respectively applicable rules" is shown in '855 col. 3, lines 61-67 and col. 5, lines 44-

45.

As to dependent claim 48, "wherein the server is arranged to receive the

items from first and second ones of the users subject to respective first and

second privacy policies, and to check the compliance of the application with both

the first and the second privacy policies" is disclosed in col. 7, lines 62-65.

As to dependent claim 49, "wherein the server is adapted to make a record

of the request and of the information provided responsive thereto in a log for

review in a subsequent privacy audit" is taught in col. 3, lines 57-61.

As to independent claim 50, this claim is directed to the computer software

of the method of claim 1 and is rejected along the same rationale.

As to dependent claims 51 and 52 these claims are substantially similar to

claims 2, 3, and 11; therefore they are rejected along the same rationale.

As to independent claim 53, this claim is directed to the computer software

of the method of claim 16 and is rejected along the same rationale.

As to independent claim 54, this claim is directed to the computer software

of the method of claim 19 and is rejected along the same rationale.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived
> by the manner in which the invention was made.

6.   **Claims 13 and 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over '855 as

applied to claims 1 and 26, in further view of Barrett et al. U.S. Patent No. 6,581,059

(hereinafter '059).

As to dependent claim 13, the following is not taught in '855 "wherein the

standard form comprises a from specified by the Platform for Privacy Preferences

Project (P3P)" however '059 teaches "The information communication protocol

and information ontology are based upon the W3C's P3P specification. The

W3C;s P3P specification" in col. 5, lines 45-47.

It would have been obvious to one of ordinary skill in the art at the time of the invention

to modify the teachings of '855, a Web site regitration proxy system to include the use of P3P

format. One of ordinary skill in the art would have been motivated to perform such a

modification to expand the use of the internet as indicated by '059 (see col. 1, lines 65 et seq.)

Recently, a protocol known as Platform for Privacy Preferences Project (P3P) has been proposed

by the World Wide Web Consortium (W3C). The P3P protocol enables World Wide Web sites to

inform a user of a web browser of a Web sites privacy practices and allow the user of the web

browser to exercise preferences based upon those practices".

As to dependent claim 37, this claim is substantially similar to claim 13 and therefore is rejected along the same rationale.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (571) 272-3842. The examiner can normally be reached from 6:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A Morse can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ellen Tran
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13 April 2005

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